be revised, and at least the Alur pakuthi, which was now placed under the jurisdiction of the courts at Nagercoil, 6 miles away, might be transferred to the jurisdiction of the courts at Padmanabhapuram which was only 2 miles away.

The member next took up the question of extending the jurisdiction of the Village Panchayat and Bench Magistrates' courts at Padmanabhapuram. These courts were functioning quite well for the last nine years and the member saw no reason why their jurisdiction should not be extended. The District Magistrate, Trivandrum, had in his inspection notes of the 12th Makaram 1103 recorded the opinion that the question of extending the jurisdiction of the courts was worthy of consideration. The member suggested that as a tentative measure the jurisdiction of the courts might be extended over the pakuthies of Kalkulam and Tuckalai.

DEWAN'S REPLY: Mr. Subrahmanya Pillai, in regard to the question of transfer of one of the Munsiff's courts from Tuckalai to Eraniel, since the last communication of the 25th December, the High Court has been asked to look into the matter and they have expressed their willingness to consider your suggestion. Again, in connection with the general re-adjustment of the territorial jurisdiction of all civil courts in the State, the High Court is now taking up that subject for consideration.

In regard to extension of the jurisdiction of the Padmanabhapuram Village Panchayat court, the view taken by the High Court is that since this is a very young institution at present, it is necessary to wait and see how it establishes itself. In view of your representation, I shall have the matter once again placed before the High Court.

15. A Magistrate's court at Tiruvalla.

MR. K. N. NILAKANTA KYMAL (*Member, Tiruvalla taluk, Group I*) said that the establishment of a Magistrate's court at Tiruvalla was a question which had evoked much discussion both in the Assembly and elsewhere. It was a burning question for the people of Tiruvalla. It was not a correct impression that some people had gathered about this question, that the agitation was all from the vakils of Tiruvalla. Before the abolition of the old court at Tiruvalla, the public were never informed of it, and they were never given an opportunity to present their case. The member therefore urged that the old court might be restored or in the alternative that the additional Munsiff, Tiruvalla, might be invested with magisterial powers.

DEWAN'S REPLY: Mr. Nilakanta Kymal, I was inclined to think that a Magistrate's court at Tiruvalla was a flower that burst into bloom in the Spring *i. e.*, at the Assembly, every year. You will find that I had something to say about it at the 22nd and the 23rd sessions of the Assembly. And now I have got to say something again at the 24th session. But I can tell you this, that I have now discovered that it is not a mere seasonal blossom but that it is a hardy annual, blossoming right through the year. And during my recent visit to Tiruvalla I was not allowed to forget the question of a Magistrate's court, not for a moment of my stay there. Wherever I went I found 'Magistrate's Court' printed up all over the place. Whoever I saw spoke about the Magistrate's court. Therefore, it seems to me that it is a really felt want in Tiruvalla and that the people of Tiruvalla look upon it as a legitimate grievance. And what impressed me most was the universality with which the request was presented to me there. I first thought that we might consider the question of investing a Munsiff with magisterial powers. But that question has to wait until, as I told the last member, the High Court goes into the question of a general readjustment of territorial jurisdiction of all civil courts in the State which they have resolved to do. If that is going to take a long time I do not think it will be right to let this question of a Magistrate's court at Tiruvalla stand over until then ; and I shall induce the Chief Secretary, if inducement is necessary, to take up the question at once.

16. Reform of the Judicial department.

MR. N. GOVINDA PILLAI (*Member, Kottarakara taluk*) speaking about the reform of the judicial department, suggested that a competitive examination should be instituted as in Mysore for the recruitment of judicial officers whether

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from the bar or from the service. He also suggested that the pay both of judges and Munsiffs and of the ministerial staff should be adequately enhanced. In order to relieve the pressure of work in the District Courts the member proposed that the jurisdiction of Munsiffs might be revised. In regard to the disposal of cases by judges and Munsiffs, the member agreed that the circular fixing the minimum number of cases to be disposed of by these officers had salutary results, but at the same time he pointed out that in their eagerness to show the required percentage of disposals the officers failed at times to do justice to their work. He therefore suggested that the minimum prescribed might be revised and that the quality of the work turned out by the several officers might be scrutinised. In order to ensure the due service of summons and processes, the number of peons and amins might be raised, and their work as of the other members of the ministerial staff might be closely supervised by the presiding officers. Other suggestions which the member had to offer for the better working of the department were :

(*a*) Affidavits to be presented to courts might be allowed to be sworn before vakils also ;

(*b*) Head clerks might be authorised to leave in the custody of court officers judgment debtors brought under arrest on days when the court was not sitting ;

(*c*) The bedding charges to be deposited by decree-holders when judgment debtors were sent to jail might be reduced from Rs. 4 to Rs. 2 ;

(*d*) Vakils' fee might be allowed in small cause suits also whether they were contested or not ;

(*e*) Copies of judgments in Munsiffs' courts might be typed instead of being written ;

(*f*) Temporary Munsiffs when appointed might be given the work of Principal Munsiffs and the latter directed to clear off arrears.

(*g*) Tahsildars might not be invested with magisterial powers.

DEWAN'S REPLY : Mr. Govinda Pillai, I am happy to tell you that the whole question of the system of recruitment to the judicial service has been taken up and it has been decided to revise the methods almost at once. And of course the question of the ministerial establishments of the courts will also engage the attention of the High Court.

In regard to other suggestions, namely, the subject of affidavits etc., I shall have your representation conveyed to the High Court.

17. Law courts with special reference to the Munsiff—Magistrate's court at Shencotta.

MR. S. K. SIVASUBRAHMONYA PILLAI (*Member, Shencotta taluk*) said that the District Munsiff, Shencotta, should be given the same pecuniary jurisdiction as the District Munsiff, Devicolam. The considerations which applied to the one *viz.*, the heavy cost and difficulties of communication, the habits and customs of the people, the low standard of literacy etc., applied equally well to the other. There was no reason therefore why there should be a distinction between the pecuniary jurisdiction of the two courts.

The next subject taken up by the member was the repeal of the rule requiring that all cases in which Government were a party should be tried in District courts. The existence of this rule caused great inconvenience to the poor parties who had, for even trifling suits, to go to the District courts situated at the centre of the districts. There was certainly one objection against the repeal of the rule *viz*, that there were no Sirkar Vakils attached to Munsiffs' courts. But this difficulty could be easily overcome by engaging private vakils in Munsiffs' courts, who could work under the supervision of the District Court Sirkar Vakils.

The member next urged that the Tahsildar, Shencottah, should be invested with a Second Class Magistrate's powers, the First Class Magistrate being given appellate jurisdiction over him.

As regards the unexpended batta and process fees remaining in civil courts, the member stated that annual, if not fortnightly, statements should be published setting forth the amounts remaining in the courts.

Another reform proposed by the member was in the direction of enhancing the pay of the clerical and process establishments of courts.

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